

CITY OF SAN JOSÉ, CALIFORNIA
Department of Planning, Building and Code Enforcement
801 North First Street, Room 400
San José, California 95110-1795

Hearing Date/Agenda Number
P.C. 11/13/2002 Item 4.b.

File Number
PDC 02-033

Application Type
Planned Development Rezoning

Council District
2

Planning Area
Edenvale

Assessor's Parcel Number(s)
Portion of 684-46-104

STAFF REPORT

PROJECT DESCRIPTION

Completed by: Jeff Roche

Location: Northeasterly corner of Monterey Highway and Branham Lane

Gross Acreage: 5.05

Net Acreage: 5.05

Net Density: 35 DU/AC

Existing Zoning: R-1-8 (CL) Residence

Existing Use: Vacant

Proposed Zoning: A(PD) Planned
Development

Proposed Use: Up to 175 affordable, attached residential units and associated
improvements

GENERAL PLAN

Completed by: JR

Land Use/Transportation Diagram Designation
Medium Low Density Residential (8 DU/AC)

Project Conformance:
☒ Yes ☐ No
☒ See Analysis and Recommendations

SURROUNDING LAND USES AND ZONING

Completed by: JR

North: Single-Family Detached Residential

R-1-8 (CL) Residence

East: Single-Family Detached Residential

R-1-8 (CL) Residence

South: Single-Family Detached Residential

R-1-8 Residence

West: Attached Residential (across Monterey Highway and the RR)

A(PD) Planned Development

ENVIRONMENTAL STATUS

Completed by: JR

☐ Environmental Impact Report
☒ Draft Negative Declaration circulated for public review on October 17, 2002

☐ Exempt
☐ Environmental Review Incomplete

FILE HISTORY

Completed by: JR

Annexation Title: Monterey Park No. 40

Date:

PLANNING DEPARTMENT RECOMMENDATIONS AND ACTION

☒ Approval
☐ Approval with Conditions
☐ Denial
☐ Uphold Director's Decision

Date: _____

Approved by: _____
☐ Action
☒ Recommendation

APPLICANT/OWNER

City of San Jose
Attn: Rich Barbaccia,
Real Estate Division Manager
84 West Santa Clara Street, Suite 460
San Jose, CA 95113

DEVELOPER

JSM Enterprises, Inc.
Attn: Mark Ruebsamen
1777 Saratoga Avenue, Suite 210
San Jose, CA 95129

PUBLIC AGENCY COMMENTS RECEIVED

Completed by: JR

Department of Public Works

See attached memoranda.

Other Departments and Agencies

See attached memoranda from the City of San Jose Fire Department, Police Department, Housing Department, Environmental Services Department, Department of Transportation, and Parks, Recreation and Neighborhood Services Department.

See attached letters from the Santa Clara Valley Water District, Santa Clara Valley Transportation Authority, County of Santa Clara Roads and Airports Department, and the Great Oaks Water Company.

GENERAL CORRESPONDENCE

See attached letters from members of the neighborhood.

ANALYSIS AND RECOMMENDATIONS

BACKGROUND

The applicant, the City of San Jose, on behalf of the project developer, JSM Enterprises, Inc, is requesting a Planned Development Rezoning from R-1-8 (CL) Residence District to A (PD) Planned Development, to allow the development of up to 175 affordable, attached residential units and associated improvements on approximately 5.05 gross acres, resulting in a density of 35 units per acre.

The site is approximately 5.05 acres in size and has been vacant for a number of years. The property has been determined to be surplus right-of-way by the Public Works and Transportation Departments. The proposed rezoning does not include strips of land on both the Monterey Highway and Branham Lane frontages that are needed for future right-of-way at the intersection of the two streets. There are several large trees on the property, including a very large Oak tree located in the southwesterly corner of the subject site.

Surrounding land uses include single-family detached residential to the north and east, vacant land and single-family detached residential to the south, and attached residential to the west (across Monterey Highway and the railroad). The vacant parcel to the south of the project site, also owned by the City of San Jose, is under consideration for the location of a future public library.

Three VTA bus routes (Nos. 38 – Monterey Highway and Senter to Winchester & Knowles, 68 – Gilroy/Gavilan College to San Jose Caltrain Station, and 72 – Downtown San Jose to East Branham/Santa Teresa LRT Station) are in close proximity to the site. Bus Nos. 68 & 72 run along Monterey Highway, and Bus No. 38 runs on Branham Lane, turning north and going up Monterey Highway.

Project Description

The project proposes a maximum of 175 affordable, attached residential units on top of a parking garage. The parking garage is proposed to be 100 % depressed below grade. A podium style building allows the majority of the parking spaces to be provided under the building. Additional surface parking is proposed along the northerly and easterly sides of the site. The residential units on top of the podium structure include a combination of two- and three-story buildings, with the two-story buildings located nearest the single-family neighborhood, to the north and east.

Pedestrian connections are provided within the development proposal that connect to the public streets adjoining the site and the bus stop on Monterey Highway. There are three bus lines that serve the neighborhood.

Vehicular access to the property will be from Branham Lane via a driveway located at the easterly corner of the site. An emergency vehicle access is proposed out to Monterey Highway at the northwesterly corner of the site.

PUBLIC OUTREACH

Two community meetings were held on June 27, 2002, and on August 26, 2002 at the Caroline Davis Intermediate School (see attached fliers). Approximately 200 citizens, the majority of which were opposed, attended each meeting on the project. Concerns raised at these two meetings included traffic, congestion, crime, gang activity, crowding at schools, reduction in property values, the appropriateness of high density housing, the need for ownership housing rather than rental housing, the adequacy of community services such as parks and libraries, and neighborhood interface. When asked what might be an appropriate land use for the subject site, neighborhood response included the following: “leave it vacant”, “lower density”, “single-family detached residential”, “a public use such as park or library”, “an ownership project rather than a rental one”, and “a development with “focused-marketing” at such target groups as teachers, policemen, or fire fighters”.

The project was also presented as an “informational item” on the August 7, 2002, Edenvale/Great Oaks Plan Implementation Coalition Meeting. The Housing Department and the Santa Clara Valley Transportation Authority sponsored a tour of affordable housing projects for the neighborhood residents on June 1, 2002.

Notices of the public hearing before the Planning Commission and City Council were published, posted on the City of San Jose web site and distributed to the owners and tenants of all properties located within 1,000 feet of the project site. Additionally, a Draft Mitigated Negative Declaration was mailed to all properties within 1,000 feet of the project site and posted on the City web site. In addition to the normal 1,000-foot mailings, both the Draft Mitigated Negative Declaration and the Hearing Notice were mailed to all people who placed their name and addresses on the mailing lists for the community meetings.

Both the Negative Declaration and the Hearing Notice were sent to approximately 3,400 residents and property owners in the neighborhood. Staff has been available to discuss the project with members of the public.

All correspondence received regarding this proposal has been included with this report.

ENVIRONMENTAL REVIEW

The environmental impacts of this project were addressed in an Initial Study and Mitigated Negative Declaration adopted by the Director of Planning, Building and Code Enforcement on November 7, 2002. Based on the traffic study prepared for the rezoning, the Public Works Department determined that the project conforms to the City's Transportation Level of Service Policy and that no mitigation is required. Mitigation has been included in the project to ensure that the project does not result in significant impacts in the areas of archaeological resources, biological resources and noise. This mitigation consists of pre-construction surveys for nesting raptors and protocol measures to protect raptors if present, measures to protect the large Oak tree on the site, monitoring and protocol measures to protect human remains and other subsurface cultural resources that may exist on the site, and the project proposes to provide mechanical ventilation and sound attenuation to ensure that interior noise levels meet City and State requirements. The project has been designed to provide as much acoustically-protected outdoor open space as possible. Based on these analyses and mitigation, the Negative Declaration concludes that the project will not result in a significant environmental impact.

GENERAL PLAN CONFORMANCE

The subject property is designated *Medium Low Density Residential (8 DU/AC)* in the City of San Jose 2020 General Plan Land Use/Transportation Diagram. The proposed development project is consistent with the General Plan based on the Discretionary Alternate Use Policy, *Location of Projects Proposing 100 % Affordable Housing* which allows the development of affordable housing at any density under a Planned Development Zoning if such housing in its entirety is: rental or ownership housing affordable to very-low, low-, or moderate-income households, proposed for a site and density compatible with surrounding designations, and located on a site consistent with the housing distribution policies of the Plan. The General Plan emphasizes the need to distribute affordable housing throughout the City, rather than concentrating it in one particular area. The General Plan Policies also encourages housing for all sectors of the community. Since 2000, Council District 2 has only received approximately 3-½ % of the total number of affordable housing units submitted citywide. Whereas, for comparison purposes in the same time period, Council District 7 has received over 45 % of the total number of units citywide. The project has been designed to minimize interface issues and all project traffic will be able to enter the project site from Branham Lane (a major street on the City's General Plan), without going onto the neighborhood streets. The project also furthers the goals and strategies of the General Plan for high-density, infill housing within the Urban Service Area proximate to transit facilities. For all of these reasons, the Director of Planning has concluded that proposal is consistent with the General Plan.

ANALYSIS

The primary issue associated with this proposal is conformance with the Residential Design Guidelines.

Conformance with the Residential Design Guidelines (RDG)

The Residential Design Guidelines for multi-family development focus on: 1) site design and structured parking; 2) pedestrian/transit orientation & open space; and 3) land use compatibility/neighborhood interface.

Site Design and Structured Parking

The project has been designed to take access from Branham Lane, and as noted below, has taken into consideration a potential future high-speed rail line along Monterey Highway. An emergency access is proposed to connect out to Monterey Highway. Given the existing high speeds and traffic volumes on Monterey Highway, staff has concluded that this access can be for “emergency purposes” only.

The proposed project is well-articulated, through the use of two- and three-story buildings on top of the existing podium. The two-story buildings have been placed along the northerly and easterly sides of the development, to reduce the massing and potential privacy impacts for the existing neighborhood. Large landscaped setback areas including significant trees are also proposed along the residential interface. In addition, the parking garage/podium for this development will be fully depressed into the ground. The parking garage is proposed to be 100 % depressed below grade, allowing a lower profile building. Staff has concluded that depressing the parking garage 100 % and stepping-down of the buildings will create an acceptable transition that will provide an appropriate interface with the existing neighborhood.

Parking for vehicles and bicycles will be provided at ratios that meet or exceed City standards. The parking layout and numbers shown on the plans are 10 % over the City parking requirements. The project will also be installing an 8-foot tall, masonry wall with a one-foot decorative trellis to be landscaped on top of the wall along the project’s interface with the residential uses to the north and east.

The project has been designed to accommodate the possibility of a future high-speed rail line along Monterey Highway. High-speed rail may result in the intersection of Monterey Highway and Branham Lane being lowered approximately 10 to 15 feet lower than it is currently. The large areas shown as “temporary landscaping” between the project and both Monterey Highway and Branham Lane are being held by the City as possible right-of-way for this project. The housing project has been designed to accommodate this future project, with the project’s emergency access and foundations at the northwesterly corner of the site to be designed accordingly to deal with the possible lowering of the adjoining streets.

Pedestrian/Transit Orientation and Open Space

The Residential Design Guidelines (RDG) specify that projects should include direct and attractive pedestrian access to nearby transit stops and stations, and that sidewalks and walkways should be wide and bordered by attractive landscaping.

The rezoning proposes pedestrian connections out to both adjoining public streets. The pedestrian circulation is shown in greater detail in the project plans, and will be reviewed in greater detail as part of the Planned Development Permit process. VTA bus stops are within easy walking distance of the project on Monterey Highway. Several common open space areas (including a play area, tot lot, and pool area) are proposed within the project, in addition to private open space areas such as balconies. All the common open space areas are linked together with a system of walkways. Open space within the project will be required to conform to the requirements of the Residential Design Guidelines.

Given the proximity of the site to public transportation, staff has suggested that the developer provide transit “Eco Passes” for the future residents of this project. Discussions with Santa Clara Valley Transportation Authority staff on this matter have been positive, but the Housing Department has

indicated that the cost of the Eco pass program may jeopardize the funding for this project. The approximate annual cost of this program is estimated to be \$ 4,000. While staff believes that participation of City-funded affordable housing projects in the Eco Pass Program would be a positive step towards encouraging transit ridership, there is currently no policy framework to support such participation as a requirement of the land use approval process.

Land Use Compatibility/Neighborhood Interface

The project developer has designed this project so that there are larger than normally required setbacks along the rear of the site where the project abuts the single-family neighborhood to the north and east. Minimum building setbacks along this portion of the site range from 54 to 63 feet. Surface parking in this area will be set back a minimum of 15 feet, greater than the 10-foot minimum called for in the Residential Design Guidelines. This large setback area along the property line will allow for dense landscaping including full-sized trees to further visually screen the project from the neighbors backyards. As part of the Planned Development Permit process, staff will also be looking at such things as window placement, to further ensure that privacy impacts are minimized.

Minimum setbacks of approximately 15 feet are proposed along both Monterey Highway and Branham Lane. The Guidelines would typically require a 25- to 35-foot setback along these streets. Given the odd-shape of the site and its associated constraints, and the need to provide ample setbacks adjacent to the single-family neighborhood, staff has concluded that reducing the setbacks along both public streets is acceptable. The building and site layout have also been designed so as to preserve the existing large Oak tree and incorporate it as an amenity for the project.

For all of the above reasons, staff concludes that the proposed project is in substantial conformance with the Residential Design Guidelines and is compatible with adjacent uses.

Conclusion

Based on the above analysis, staff concludes that the proposed project provides a significant opportunity to further important goals and strategies of the General Plan for transit-oriented, affordable, high-density, infill development within the Urban Service Area, and that the project conforms to the Residential Design Guidelines and is compatible with the surrounding neighborhood.

RECOMMENDATION

Planning staff recommends that the City Council approve the subject rezoning for the following reasons:

1. The proposed project is consistent with the San José 2020 General Plan Land Use/Transportation Diagram designation of Medium Low Density Residential (8 DU/AC) and the Discretionary Alternate Use Policy for 100% affordable projects.
2. The proposed project conforms to the Residential Design Guidelines.
3. The project furthers the goals and objectives of the City's infill housing strategies and will promote transit usage.
4. The proposed rezoning is compatible with existing and proposed uses on the adjacent and neighboring properties.

- c: Rich DeFabio, JSM Enterprises, 1777 Saratoga Avenue, Suite 210, San Jose, CA 95129
Rebecca Flores, City of San Jose, Housing Department
Peter Ko, Ko Architects, 900 High Street, Suite 1, Palo Alto, CA 94301
Ken Olcott, Sandis Humber & Jones, 605 Castro Street, Mountain View, CA 94041
Michelle Yesney/Dawn Spencer, David J. Powers & Associates, Inc., 1885 The Alameda, Suite 204,
San Jose, CA 95126
Portia Saul, Eden Hill Neighborhood Association, Secretary, 4947 Eberly Drive, San Jose, CA 95111